

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

Lance Gregor Rice,)	Civil Action No. 5:16-cv-2629-TLW
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Nancy A. Berryhill ¹ , Acting Commissioner)	
of Social Security Administration,)	
)	
Defendant.)	
_____)	

Plaintiff Lance G. Rice, brought this action pursuant to 42 U.S.C. § 405(g), seeking judicial review of the Commissioner of Social Security’s final decision denying Plaintiff’s claim for Disability Insurance Benefits and Supplemental Security Income pursuant to the Social Security Act. ECF No. 1. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Kaymani D. West, to whom this case was previously assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), (D.S.C.). In the Report, the Magistrate Judge recommends the decision of the Commissioner be reversed and remanded for further administrative action. ECF No. 26. The Commissioner filed notice that she does not object to the Report, ECF No. 28, and no other objections were filed.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report to which a specific objection is registered and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence

¹ Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Rule 25(b) of the Federal Rules of Civil Procedure, the court substitutes Nancy A. Berryhill for Carolyn W. Colvin as Defendant in this action.

of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). In such a case, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

In light of the standard above, this Court has carefully reviewed the relevant record, including the Report. Noting that the Commissioner does not object to the Report, the Report, ECF No. 26, is hereby **ACCEPTED**. For the reasons articulated by the Magistrate Judge, the Commissioner’s decision is **REVERSED**, and this case is **REMANDED** for further administrative action consistent with the Report.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

January 25, 2018
Columbia, South Carolina